

MICHIGAN CIVIL SERVICE COMMISSION
Public Meeting
August 23, 2021

Present: Janet McClelland, Chair
Jase Bolger, Commissioner
Nick Ciaramitaro, Commissioner
Jeff Steffel, Commissioner
Janine M. Winters, State Personnel Director

1. CALL TO ORDER

The meeting of the Michigan Civil Service Commission (Commission) was opened by Chair McClelland at 10:03 a.m. The meeting was held in person as well as livestreamed.

Approval of Minutes

Chair McClelland requested a motion to approve the minutes of the December 16, 2020 meeting. On motion duly made and supported, the minutes of the December 16, 2020 meeting were approved with Commissioner Ciaramitaro abstaining.

2. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

3. INFORMATIONAL REPORTS

State Personnel Director's Report

The director reported that nine unclassified positions were established and ten unclassified positions were abolished across six departments. Details on the positions, departments, and titles are in the report.

Since the last meeting, notice was given in SPDOC 21-01 of amendments to regulation 5.10, effective May 16, 2021.

4. UNFINISHED BUSINESS

There was no unfinished business.

5. NEW BUSINESS

A. Election of Officers

On motion duly made and supported, Janet McClelland was unanimously elected chair and Jase Bolger was unanimously elected vice-chair.

B. Tribute to James Barrett

On motion duly made and supported, Item 5-B, Tribute to James Barrett was unanimously approved.

C. Certification of FY 20 Aggregate Payroll

General Counsel John Gnodtke summarized that under the state's constitution, the commission must annually certify the amount of the aggregate payroll for the classified payroll to determine the amount of its constitutionally guaranteed appropriation. Since the commission's last meeting, the books have closed for last fiscal year, which allows certification of the final amount listed in Resolution 5-C.

On motion duly made and supported, Resolution 5-C was unanimously approved.

D. Amendments to Standardized Travel Regulations and Pilot Travel Program (Interim Approval Granted)

General Counsel John Gnodtke summarized that interim approval was previously approved at the request of DTMB, Vehicle and Travel Services for amendments to the standardized travel regulations. The amendments address the definition of work locations given the increased use of remote work and specifically authorize pilot programs. Interim approval was also granted for a pilot program for EGLE involving processing meal reimbursements to which the DTMB director has also agreed.

On motion duly made and supported, Agenda Item 5-D was unanimously approved.

E. Amendments to Rules 2-7, 3-1, 3-2, 3-3, 3-8, and 9-1

General Counsel John Gnodtke explained that the Commission has provided forms of veterans' preference since the 1940s. As referenced in SPDOC 21-03, the governor has requested that the commission consider expanding its program to allow use of preference for promotions, by military retirees, by servicemembers scheduled to discharge soon, and in multiple forms in a hiring process if applicable. Staff also identified an additional reform that could be adopted to modernize one form of preference that became dead letter once the Commission stopped maintaining registers and applicant pools in the 1990s. The proposed rule changes that were circulated would make these enhancements plus other housekeeping changes to eliminate related outdated references in the rules. Staff recommends that any approval of the rules be effective the beginning of the next pay period on September 5, 2021, to allow time to update affected regulations and modify internal procedures for the changes in the operation of veterans' preference processing.

Commissioner Ciaramitaro asked to separate the amendments into two motions. On motion duly made and supported, amendments to Rules 2-7, 3-8, and 9-1 were unanimously approved with an effective date of September 5, 2021.

Commissioner Ciaramitaro then moved to delay consideration of Rules 3-1, 3-2, and 3-3 to allow additional time to research. He indicated that if the outdated language had been around for decades a delay of a few months should not be a problem. After brief discussion of the need to evaluate the severability of the changes across the six rules being considered and the withdrawal of the motion, the motion was withdrawn.

On motion duly made and supported, amendments to Rules 3-1, 3-2, and 3-3 were then approved by a vote of three to one, with Commissioner Ciaramitaro voting No.

F. Amendments to Bylaws

General Counsel John Gnodtke summarized Commissioner Ciaramitaro's proposed amending of § 5.1 of the commission's bylaws, which addresses the normal order of

business for commission meetings. The proposal would add another period of public comment after the call to order and approval of the agenda.

Commission Ciaramitaro expressed concern that the public is not allowed to speak on an agenda item until after it is codified. Chair McClelland explained that the public is historically allowed to speak before individual voting takes place. Discussion occurred about evaluating potential amendments to the bylaws to formalize that customary practice. Commissioner Ciaramitaro then withdrew the motion to amend the bylaws.

G. Letters of Understanding (Interim Approval Granted)

- 1. Attendance Incentive Pilot Extension (AFSCME)**
- 2. Sick Leave for 2021 COVID-19 Vaccine Pilot (AFSCME; MCO; MSEA; SEIU 517M HSS, S&E, and Tech; UAW)**
- 3. MDOC RN Retention Bonus Pilot (UAW)**

General Counsel John Gnodtke summarized that interim approval was previously granted to nine letters of understanding involving extending a pilot attendance incentive program, a sick leave grant for vaccination, and an RN retention bonus pilot for MDOC. Staff has identified no prohibited subjects of bargaining implicated.

On motion duly made and supported, Agenda Items 5-G(1-3) were unanimously approved.

6. PUBLIC COMMENT

Roderick Jackson, President of SEIU 517M addressed the commission regarding union recertifications. Mr. Jackson thanked the commission for signing previous contracts and explained that he is working hard to get things changed in bargaining again. He explained his concern that the commission's agenda has been to destroy state unions, which speak for employees when they cannot speak for themselves. Mr. Jackson questioned the decision to make workers sign up each year. Employees already had the right to not sign up. He believes that this can cause members to lack confidence in unions. It is not fair for the commission to take away rights. Mr. Jackson committed to ensuring that everybody gets signed up again, and even those who didn't before, will now. Mr. Jackson expressed his love of working for the state and pledged to do everything that he can to be sure that our union fights for us at all times.

ADJOURNMENT

There being no further items for Commission approval or public comments, Chair McClelland called for a motion to adjourn. On motion duly made and supported, the meeting was adjourned at 10:30 a.m.

These minutes will become final upon approval by the Civil Service Commission.